

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

PATRIA JOHNSON	*	CIVIL ACTION NO.:
	*	
VERSUS	*	SECTION:
	*	
MEDI-SCRIPT INC.	*	MAG. DIV.:
	*	
*****		TRIAL BY JURY

COMPLAINT FOR DAMAGES

MAY IT PLEASE THE COURT:

NOW COMES, through undersigned counsel, Plaintiff, Patria Johnson, a person of full age and majority residing and domiciled in the City of Glen Roe, in the State of Texas, who respectfully states the following:

1. This Honorable Court has federal question jurisdiction by virtue of 28 U.S.C. § 1332 based upon the complete diversity of citizenship of the parties and the amount in controversy exceeds the sum of \$75,000.00 exclusive of costs and interest.
2. Venue is proper in the Western District of Louisiana pursuant to 28 U.S.C. § 1391(b) as the Defendant, Medi-Script Inc. [hereinafter “Medi-Script”] is a domestic corporation and resides in this judicial district, and it owns, operates, and maintains a retail pharmacy store under the trade name “Walker Brothers Drug” at 200 East Palmetto Avenue, Plain Dealing, Louisiana 71064. In addition, the cause of action arises from an injury sustained at the above location within the Western District of Louisiana.

3. On or about July 19, 2021, the Plaintiff, Patria Johnson, entered the Defendant's premises known as Walker Brothers Drug located at 200 East Palmetto Avenue, Plain Dealing, Louisiana 71064 for the purpose of filling a prescription for her daughter.

4. Upon entering the Defendant's store and nearly immediately after her entry, Plaintiff slipped in standing liquid/water causing her to fall to the ground resulting in her sustaining a broken left arm, broken left hip, shattered left elbow, broken pelvis, and broken sacrum, among other injuries, for which she has undergone extensive surgical treatment in the past, and for which she will undergo additional surgical treatment.

5. Plaintiff's severe injuries and damages were directly caused by the negligent, careless, and reckless conduct committed by the Defendant, who knew, or in the exercise of reasonable care, should have known that standing liquid/water on its floor presented a hazardous condition and unreasonable risk of harm. In addition, upon information and belief the Defendant's negligent and careless conduct within its premises includes failing to properly position its store's entry floor mat rug and/or post warnings regarding the standing water within the store at the time of the injury.

6. Plaintiff, Patria Johnson, seeks all compensatory damages and all other legal and equitable relief for the injuries, pain and suffering, medical bills and charges, and economic losses, which were directly, legally, and proximately caused by the wrongful, negligent, reckless, and/or strictly liable conduct of Defendant, its employees, agents, or officers in the course and scope of their employment, arising from the events of July 19, 2021.

7. Plaintiff specifically pleads that because of the events discussed above she is entitled to recovery from the Defendant pursuant to articles 2315, 2316, 2317, and 2317.1 of the Louisiana Civil Code.

8. Plaintiff is entitled to and requests a trial by jury.
9. Plaintiff reserves the right to amend this Complaint as further facts become known to her.

WHEREFORE, Plaintiff, Patria Johnson, prays that Defendant, Medi-Script Inc., be duly served with a copy of this Complaint and be summoned to appear and answer same and after due proceedings are held that there be Judgment granted herein in favor of Plaintiff, Patria Johnson, and against Defendant and its insurers for all covered losses and all sums reasonable in the premises, together with legal interest thereon from the date of judicial demand, until paid, and for all costs of these proceedings and all general and equitable relief the Court deems appropriate.

Signed this 2nd day of December 2021

Respectfully Submitted,

DAVIS, SAUNDERS & MILLER LAW FIRM

/s/ *Joseph M. Miller, Esq.*

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**Attorneys for Plaintiff,
Patria Johnson**

Please Issue Summons:

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200 E. Palmetto Avenue
Plain Dealing, Louisiana 71064